

COUNCIL MEETING

DATE: September 9, 2014

TIME STARTED: 7:00 p.m.

TIME ENDED: 9:00 p.m.

MEMBERS PRESENT: Mayor Doug Pomplun, Lois Gilles, Todd Kiecker, Brad Augustin, Cindy Fahey

MEMBERS ABSENT: none

Staff members present: Clerk Treasurer Administrator Marcia Seibert-Volz, Eric Nelson, Supt. St. & Utilities, City Attorney Aaron Walton.

Meeting was called to order by Mayor Doug Pomplun.

APPROVAL OF THE AGENDA: Motion by Lois Gilles, second by Cindy Fahey to approve the agenda. Motion carried.

UNFINISHED BUSINESS: None.

PUBLIC HEARING: None

BID & QUOTES: Karian Peterson Power Line Contracting, LLC Change out of 69KV pole. \$ 12,304.00.
Motion by Cindy Fahey, second by Todd Kiecker to approve contracting the 69KV Transmission pole change out to Karian Peterson Power Line Contracting, LLC in the amount of \$ 12,304.00.

PRESENTATIONS:

CONSENT AGENDA: Motion by Todd Kiecker, second by Cindy Fahey to approve consent agenda. Motion carried.

- Approval of the minutes from the regular meeting dated August 8, 2014.
- Peterson Brothers Pay Est. No. 1 \$ 25,750.18.
- Claims for payment:

4-Square Builders	TRUSSES-Electric warehouse	1,323.00
ABM Equipment & Supply	ELECTRIC SUPPLIES	698.84
ASCAP	LIQUOR LICENSE FEE	113.75
Alex Air Apparatus Inc	RURAL TESTING & HAZ WASTE DISP	630.00
Ameripride Linen Services	LAUNDRY - BAR	247.63
Amsterdam	OFFICE SUPPLIES	239.51
Arctic Glacier	ICE	197.50
Arneson Distributing Inc	BEER	1,562.15
Bernicks Pepsi Cola	ICE MACHINE RENT & POP	808.13
Bernie Wenner	bldg. inspections	718.56
Bolton & Menk	2012 STREET PROJECT Engineering	4,222.50
Border States	ELECTRIC SUPPLIES	759.10
Bound Tree Medical, LLC	AMBULANCE SUPPLIES	695.91
Bryan Rock Products Inc.	BASEBALL FIELD MAINTENANCE	825.05
C&J Waste Handling LLC	PUMP WATER 6-19-14	3,250.00
Capital One, F.S.B.	CALK - CITY HALL	99.82
Casey's	GAS	1,092.52
CenturyLink	TELEPHONE	1,260.78
Chip Steak & Provision Com	SUPPLIES FOR RESALE	896.91
Chuck Firle	10 YDS GRAVEL	110.00
Chuck Spaeth Ford Inc.	KEYS - NEW SQUAD CAR	39.50
Clobes Sanitation	gb pickup	3,117.00
Dakota Supply Group	GAS ERTS	1,496.84
Dave's Full Service	GAS	1,353.35
Dave's Refrigeration	repair compressor	152.50
Davis Typewriter Co Inc	PRINTER INK	199.99
Department of Energy-WAPA	POWER PURCHASED	26,700.48
Ecolab Pest Elimination	PEST CONTROL	150.16
Electric Motor Co & Midwes	EXHAUST MOTOR - WATER PLANT	302.66

Fahey-Klages Tiling	CAPPED WA SERV 1ST AVE NE/PARK	235.00
Fairfax Agency	bond	118.00
Fairfax Postmaster	POSTAGE - UTILITY BILLS	364.60
Farm Merchandise Inc.	SUPPLIES - BAR	1,117.45
Frontier Bar	SUPPLIES FOR RESALE	177.82
GFW Community Ed	SUMMER REC CONTRIBUTION	7,000.00
Groebner & Associates	GAS SUPPLIES	2,806.15
Harry's Frozen Food	SUPPLIES FOR RESALE	135.25
Hawkins Water Treatment	CHEMICALS	556.41
Heggies Pizza	SUPPLIES FOR RESALE	497.70
Hermel Wholesale	LIQUOR SUPPLIES	1,232.86
Indian Island Winery	WINE PURCHASED	215.04
J.T. Services	STREET LIGHTING	12,012.09
Jahnke Water Inc.	bottled water-Library	17.69
Johnson Bros. Wholesale	LIQUOR	2,120.08
Juicebelly Entertainment	DJ LIQUOR STORE	500.00
Juul Contracting Company	WATER SERVICE CONNECTION	2,076.00
KNUJ AM	ADVERTISING - BAR	50.00
Kelly Albrecht	SKID LOADER RENTAL	60.00
Kohls Weelborg	MAINT - AMBULANCE	4.86
L.M.C.I.T.	INSURANCE PREMIUM	56,968.00
League of MN Cities	POLICE TRAINING	30.00
Locher Bros. Inc.	BEER	8,854.30
MN Department of Commerce	CIP ASSESSMENT	270.32
MN Department of Revenue	JULY SALES TAX	9,571.00
MN Dept. of Health	STATE WATER FEE JULY-SEPT	891.00
MN Municipal Bev. Ass'n.	OFFICE EXP - BAR	15.00
MN Municipal Utilities As	2014 OVERHEAD SCHOOL	440.00
MN Valley Testing Lab.	WATER SAMPLE TESTING	84.75
Marcia Seibert-Volz	MILEAGE - ELECTION SUPPLIES	35.84
Martin Trucking, LLC	FREIGHT	172.20
Matheson Tri-Gas Inc	BEER GAS	116.86
Maynard's of Fairfax	SUPPLIES FOR RESALE	618.87
Mediacom	CABLE & INTERNET - BAR	478.90
Mikes Auto Parts	LAWN MOWER REPAIR	185.33
Miller AutoPlaza	2008 CHEVY SILVERADO 3500	24,000.00
National Creative Enterpri	DEFIB MOUNT - AMBULANCE	439.21
New Ulm Public Utilities	GAS PURCHASE, TRANSP. INSTALL SERVICES	58,597.11
North Memorial EMS Educati	44 PLAN - AMBULANCE	900.00
NorthAmerican Bancard	LIQUOR CREDIT CARD FEES AUG	612.46
Northern Lights Dist.	SUPPLIES FOR RESALE	3,178.75
Office Ally	AMBULANCE FEE	19.95
Pearson Brothers Inc	SEAL COATING/CRACK SEALING	25,750.18
Phillips Wine & Spirits	WINE	371.65
Physio-Control Inc	OFFICE EXP - AMBULANCE	596.88
Pioneerland Library Sys.	3rd Quarter payment request	8,435.25
Premium Waters Inc	WATER - PD	19.90
RVS Shredding	SHREDDING SERVICE	30.00
Recreation Supply Company	POOL SUPPLIES	45.91
Red Feather	SUPPLIES - BAR	70.75
Renville Co Government Ser	PRINTER FOR NEW SQUAD CAR	353.95
Renville County	LANDFILL FEES	3,399.00
Revtrak Inc	REVTRAK FEES - AUG	673.66
South Central Grain & Ener	ROUNDUP	282.01
Standard-Gazette & Messeng	ADVERTISING - BAR	78.40
Supercircuits, Inc.	PD CAPITAL OUTLAY	977.33
T & R Electric	ELECTRIC SUPPLIES	579.07
Texas Refinery Corp	SHOP SUPPLIES	569.43
The Journal	SUBSCRIPTION - BAR	180.00
Tim's Turf	SOD & BLACK DIRT BALL PARK	479.87
Tow Distributing Corp.	BEER	6,350.38
USA Blue Book	GAS SUPPLIES	201.89
Verizon Wireless	TELEPHONE	376.12
WBM Wine & Spirits Inc.	LIQUOR	2,730.55
Weis Oil	AUG DIESEL TAX CREDIT	6.83
Wine Merchants	WINE	120.00
Winfield Solutions LLC	BASEBALL FIELD MAINT	790.50
Younger & Walton PLLC	ATTORNEY FEES	2,000.00
Payroll Expense		49,618.19

Street Committee Recommendations: The street Committee recommended including segment 1,5,7,17 from Engineer Estimates. Segment 1 being 3rd Ave. SE between So. Park & 1st St. Segment 5 being 2nd Ave. SE between 4th & 5th St. SE, Segment 7 being 1st St. SE between T.H. 19 and 1st Ave SE. Segment 17 being 1st Ave. NW between N Park and 1st St. NW. Total project cost is \$ 542,687.88. Motion was made by Brad Augustin, second by Todd Kiecker to include \$ 550,00.00 in the 2015 budget in order to define the project area and provide for a bond issue of \$ 590,000.00 to include bond issuance costs associated with the project. Motion carried unanimously.

2015 BUDGET CONSIDERATIONS: Discussion took place on the rehab of the auditorium. Brad Augustin questioned whether the rental income and usage warranted the costs associated with the rehab of the auditorium. No action on subject.

DOG ORDINANCE: Second Reading and adoption. Motion by Brad Augustin, second by Cindy Fahey to adopt the amendments to Chapter 78. Motion carried unanimously.

New Code Sections

§ 78-1. Definitions

(Insert after definition of "Animal")

ANIMAL CONTROL OFFICER

The Chief Law Enforcement Officer, or an individual or employee of a business retained by the City for purposes of enforcing the provisions of this Chapter. In the later case the City may have them deputized with police powers for such enforcement, including authority to issue complaints for the violation of this Chapter.

§ 78-5. Impounding.

B. Biting animals. Any animal that has not been inoculated by a live modified rabies vaccine and which has bitten any person, wherein the skin has been punctured or the services of a doctor are required, shall be confined in the City Pound for a period of not less than 10 days, at the expense of the owner. The animal may be released at the end of such time if healthy and free from symptoms of rabies, and by the payment of all costs by the owner. However, if the owner of the animal shall elect immediately upon receipt of notice of need for such confinement by the officer to voluntarily and immediately confine the animal for the required period of time in a veterinary hospital of the owner's choosing, not outside of the county in which this City is located, and provide immediate proof of such confinement in such manner as may be required, the owner may do so. If, however, the animal has been or is being deemed a dangerous animal, then the animal shall be confined until such time as the owner complies with the requirements of § 78-12. The animal shall be confined until the order becomes final if the animal is ordered destroyed.

C. Reclaiming.

(1) All animals conveyed to the pound shall be kept, with humane treatment and sufficient food and water for their comfort, at least five regular business days, unless the animal is a dangerous animal as defined under § 78-11 in which case it shall be kept for the times specified in §§ 78-5B., and 78-11, and except if the animal is a cruelly-treated animal in which case it shall be kept for 10 regular business days, unless sooner reclaimed by their owners or keepers as provided by this section. In case the owner or keeper shall desire to reclaim the animal from the pound, the following shall be required, unless otherwise provided for in this code or established from time to time by resolution of the City Council:

- (a) Payment of a \$25 release fee and receipt of a release permit from the police;
- (b) Payment of veterinary and maintenance costs, as provided by the pound, per day or any part of day while animal is in said pound; and
- (c) If a dog is unlicensed, payment of a regular license fee and valid certificate of vaccination for rabies and distemper shots is required.

(2) The \$25 release fee in Subsection A is in addition to the release permit fee specified in the definition of "release permit" in § 78-1.

§ 78-6. Seizure of animals.

Any police officer or Animal Control Officer may enter upon private property and seize any animal, provided that the following exist:

- A. There is an identified complainant other than the police officer or Animal Control Officer making a contemporaneous complaint about the animal;
- B. The officer reasonably believes that the animal meets either the barking dog criteria set out in § 78-7A;

the criteria for dangerous set out in § 78-11; the criteria for cruelty set out in § 78-13; or the criteria for an at large animal set out in the definition of "at large" in § 78-1;

C. There is evidence that the animal is dangerous or the officer can demonstrate that there has been at least one previous complaint of a barking dog; inhumane treatment of the animal; or that the animal was at large at this address on a prior date;

D. The officer has made a reasonable attempt to contact the owner of the property and those attempts have either failed or have been ignored;

E. The seizure will not involve the forced entry into a private residence. Use of a pass key obtained from a property manager, landlord, innkeeper, or other authorized person to have such key shall not be considered unauthorized entry; and

F. Written notice of the seizure is left in a conspicuous place if personal contact with the owner of the dog is not possible.

§ 78-9. Destruction of confinement of animals.

If, in the reasonable belief of any person or police officer, an animal presents an immediate danger to the health and safety of any person, or the animal is threatening imminent harm to any person, or the animal is in the process of attacking any person, the officer may immediately destroy the animal in a proper and humane manner. Otherwise the person or officer may apprehend the animal and deliver it to the pound for confinement under § 78-5. If the animal is destroyed, a charge of \$75 to dispose of the animal is payable by the owner of the animal. If the animal is found not to be a danger to the health and safety of the City, it may be released to the owner or keeper in accordance with § 78-5C.

§ 78-11. Dangerous animals and potentially dangerous animals.

A. Attack by an animal. It shall be unlawful for any person who owns, harbors, or keeps any animal, or the parents or the guardians of any such person under 18 years of age, to negligently or intentionally permit or fail to prevent the animal from inflicting or attempting to inflict bodily injury upon any person or other animal, whether or not the owner is present. This section shall not apply to an attack by a dog under the control of an on-duty law enforcement officer or to an attack upon an uninvited intruder who has entered the owner's home without permission.

[Amended 2-13-2007 by Ord. No. 414; 12-10-2013 by Ord. No. 404A]

B. Destruction of dangerous animal. The Animal Control Officer shall have the authority to order the destruction of dangerous animals in accordance with the terms established by this chapter. An order for destruction of an animal may be made simultaneously with an order deeming an animal dangerous.

C. Definitions.

(1) A dangerous animal is an animal which has:

- (a) Caused bodily injury or disfigurement to any person on public or private property; or
- (b) Engaged in any attack on any person under circumstances which would indicate danger to personal safety; or
- (c) Exhibited unusually aggressive behavior, such as an attack on another animal; or
- (d) Bitten one or more persons on two or more occasions; or (e) Been found to be potentially dangerous and/or the owner has personal knowledge of the same, the animal aggressively bites, attacks, or endangers the safety of humans or domestic animals.

(2) A potentially dangerous animal is an animal which has:

- (a) Bitten a human or a domestic animal on public or private property; or
- (b) When unprovoked, chased or approached a person upon the streets, sidewalks, or any public property in an apparent attitude of attack; or
- (c) Has engaged in unprovoked attacks causing injury or otherwise threatening the safety of humans or domestic animals.

(3) Proper enclosure. Proper enclosure means securely confined indoors or in a securely locked pen or structure suitable to prevent the animal from escaping and to provide protection for the animal from the elements. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only barriers which prevent the animal from exiting. The enclosure shall not allow the egress of the animal in any manner without human assistance. A pen or kennel shall meet the following minimum specifications:

- (a) Have a minimum overall floor size of 32 square feet.
- (b) Sidewalls shall have a minimum height of five feet and be constructed of 11-gauge or heavier wire. Openings in the wire shall not exceed two inches, support posts shall be 1 1/4 inch or larger

steel pipe buried in the ground 18 inches or more. When a concrete floor is not provided, the sidewalls shall be buried a minimum of 18 inches in the ground.

(c) A cover over the entire pen or kennel shall be provided. The cover shall be constructed of the same gauge wire or heavier as the sidewalls and shall also have no openings in the wire greater than two inches.

(d) An entrance/exit gate shall be provided and be constructed of the same material as the sidewalls and shall also have no openings in the wire greater than two inches. The gate shall be equipped with a device capable of being locked and shall be locked at all times when the animal is in the pen or kennel.

(4) Unprovoked. Unprovoked shall mean the condition in which the animal is not purposely excited, stimulated, agitated or disturbed.

D. Designation as potentially dangerous animal.

(1) The Animal Control Officer shall designate any animal as a potentially dangerous animal upon receiving such evidence that the animal meets the definition of potentially dangerous as stated in Subsection C(2)(c).

(2) When an animal is declared potentially dangerous, the Animal Control Officer shall cause one owner of the potentially dangerous animal to be notified in writing that such animal is potentially dangerous.

E. Appeal hearing procedures—Potentially dangerous dog. A potentially dangerous dog declaration appeal shall consist of a record review by the city administrator or his/her designee, using the designated appeal form supplied at the time of the written request. The appeal form must be completed and returned to the animal control officer or designee with written evidence and/or affidavits that dispute the declaration within 14 business days of notification. The owner/custodian of the dog shall be notified, in writing, of the record review results within ten calendar days of receipt. There is a \$100.00 fee for an appeal of a potentially dangerous dog declaration. The individual conducting the review shall have the authority to amend the declaration or order as appropriate and to establish specific requirements for the dog found to be potentially dangerous.

F. Designation as dangerous animal. The Animal Control Officer shall have the authority to designate any animal as a dangerous animal upon receiving evidence of the following:

(1) That the animal has, when unprovoked, bitten, attacked, or threatened the safety of a person or domestic animal as stated in Subsection C(1)(c).

(2) That the animal has been declared potentially dangerous and such animal has then bitten, attacked, or threatened the safety of a person or domestic animal as stated in Subsection C(1)(c).

G. Authority to order destruction.

A. The Animal Control Officer, upon finding that an animal is dangerous hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:

(1) The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an attack without warning or multiple attacks; or

(2) The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent injury to persons or other animals.

B. The Animal Control Officer shall require a previously designated dangerous animal to be destroyed if:

(1) The dog afflicted substantial or great bodily harm on a human or a domestic animal on public or private property.

(2) The dog inflicted multiple bites on a human on public or private property without provocation.

(3) The dog bit multiple human victims on public or private property without provocation; or

(4) The dog bit a human on public or private property without provocation, in an attack where more than one dog participated in the attack.

H. Appeal hearing procedures—Dangerous animal.

(1) The owner/custodian of an animal that has been declared dangerous may appeal the declaration and request a hearing. The appeal request is to be submitted in writing within 14 days of notification. If a hearing is requested, the animal control officer or the designee, shall schedule a hearing within 14 calendar days. A dangerous declaration appeal shall consist of an appearance before an independent city employee or hired representative. The hearing fee of \$250.00 must be paid prior to the hearing. The hearing officer may set limits on the evidence that may be submitted and the length of testimony offered. The hearing officer conducting the review shall have the authority to amend the declaration or order as appropriate and to establish specific requirements. Any time after a declaration has been issued, the animal control officer or designee may seize a declared animal. All applicable fees and costs shall be the responsibility of the

owner/custodian of the animal. The animal shall not be released until all fees are paid in full and in compliance with the provisions of this Code is achieved. All animals seized pursuant to this subsection may be disposed of by animal control after 14 calendar days of notification of declaration when the animal is not properly registered or an appeal has not been properly submitted pursuant to this section.

(2) In the event the declaration is overturned, all fees will be reviewed by the hearing officer. The owner/custodian of the animal shall be notified by telephone of the hearing results within ten business days. All decisions may be appealed to the Minnesota Court of Appeals.

(3) The animal control officer, after having determined that an animal is dangerous, may proceed in the following manner: The animal control officer shall cause one owner/custodian of the animal to be notified in writing or in person that the animal is dangerous and may order the dog seized or make orders as deemed proper. This owner/custodian shall be notified as to dates, times, places and parties bitten, and shall be given 14 days to appeal this order by requesting a hearing for a review of this determination.

a. If no appeal is filed, the animal control officer may authorize the seizure and the destruction of the animal, unless the animal is already in custody or the owner/custodian consents to the seizure and destruction of the animal.

b. If an owner/custodian requests a hearing for determination as to the dangerous nature of the animal, the hearing shall be held before an impartial employee of the local government or impartial person retained by the local government, which shall set a date for hearing not more than two weeks after demand for the hearing. The records of the animal control or city clerk's office shall be admissible for consideration by the hearing officer without further foundation. After considering all evidence pertaining to the temperament of the animal, the hearing officer shall make an order as it deems proper. The hearing officer shall issue a decision on the matter within ten days after the hearing. The decision must be delivered to the animal's owner/custodian by hand delivery or registered mail as soon as practical and a copy must be provided to the animal control authority. The animal control officer may take the animal into custody for destruction, if the animal is not currently in custody. If the animal is ordered into custody for destruction, the owner/custodian shall immediately make the animal available to the animal control officer. If the owner/custodian does not immediately make the animal available, the animal control officer shall obtain an order or warrant authorizing the seizure and the destruction of the animal from a court of competent jurisdiction. In the event the dangerous animal declaration is upheld by the hearing officer, actual expenses for the hearing up to a maximum of \$300.00 will be the responsibility of the animal's owner/custodian.

(4) No person shall harbor an animal after it has been found to be dangerous and ordered into custody for destruction.

I. Stopping an attack. If any police officer or Animal Control Officer is witness to an attack by an animal upon a person or another animal, the officer may take whatever means the officer deems appropriate to bring the attack to an end and prevent further injury to the victim.

J. Notification of new address. The owner of an animal which has been identified as dangerous or potentially dangerous must notify the Animal Control Officer in writing if the animal is to be relocated from its current address or given or sold to another person. The notification must be given in writing at least 14 days prior to the relocation or transfer of ownership. The notification must include the current owner's name and address, the relocation address, and the name of the new owner, if any.

Utility Billing Policy: Motion by Lois Gilles, second by Cindy Fahey to approve the amendment to the Utility Billing policy. The City will make connection to Rural customers within 1500' North and South of the gas transmission line. All costs associated with the installation of the service are the resident's responsibility. The gas pricing for Rural Gas Taps is subject to pooled rates or Daily Market rates whichever is greater. Motion carried.

RESOLUTION 2014-11: Motion by Todd Kiecker, second by Cindy Fahey to adopt Reso. 2014-11. Motion carried.

RESOLUTION # 2014-11

RESOLUTION ESTABLISHING NEW WATER RATES FOR THE CITY OF FAIRFAX.

WHEREAS, the City Council has the power to fix and adopt rates and regulations for water supplied by the city public utilities, and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Fairfax the following new rates are established effective September 1, 2014

BASE RATE:

¾" Meter	\$ 23.00/mo.
1 " Meter	\$ 28.00/mo.
1 1/2" Meter	\$ 38.00/mo.
2 " Meter	\$ 53.00/mo.
3" Meter	\$ 78.00/mo.

RESIDENTIAL CONSERATION WATER RATE:

0 – 10,000 gallons	\$ 4.00 per one thousand gallons
10,001 – 20,000 gallons	\$ 4.75 per one thousand gallons
20,001 – 40,000 gallons	\$ 5.94 per one thousand gallons
above 40,000 gallons	\$ 8.91 per one thousand gallons

COMMERCIAL WATER RATE:

\$ 4.00 per one thousand gallons

CONNECTION TO SYSTEM

Water Access Charge (WAC) \$ 1400.00

Resolution 2014-12: Motion by Brad Augustin, second by Todd Kiecker to approve Resolution 2014-12. Motion carried.

RESOLUTION 2014-12

RESOLUTION ESTABLISHING RATES FOR THE NATURAL GAS SYSTEM FOR THE FAIRFAX MUNICIPAL GAS SYSTEM.

WHEREAS, The City Council of the City of Fairfax has determined it is in the best interests of the City to establish a public utility known as the Fairfax Municipal Natural Gas System, and:

WHEREAS, the purpose of the utility is to manage and fund the construction and maintenance of the natural gas system in the Cities of Gibbon and Fairfax, and;

WHEREAS, The Natural Gas System Ordinance establishes that the rates and charges for use and availability shall be established by resolution,

THEREFORE, BE IT RESOLVED The City of Fairfax establishes the following rates for the Fairfax Municipal Natural Gas System:

	<u>Meter</u>	<u>Margin</u>	<u>Customer charge</u>
Small Customers	250	\$ 3.30/mcf	6.00/mo.
Medium Customers	425-1000	\$ 2.27/mcf	20.00/mo.
Large Customers	3M & up Rotary	\$ 1.88/mcf.	100.00/mo.
Rural Tap Customers		\$ pooled rate/Daily Market rate (whichever is greater)	

RESOLUTION 2014-13: Motion by Todd Keicker, second by Lois Gilles to adopt Resolution 2014-13. Motion carried.

RESOLUTION 2014-13

RESOLUTION ESTABLISHING NEW GARBAGE & LANDFILL RATES FOR THE CITY OF FAIRFAX.

BE IT RESOLVED by the City Council of the City of Fairfax as follows:

WHEREAS, the City Council has the power to fix and adopt rates for refuse pickup supplied by contractor Clobes Sanitation, and

WHEREAS, the County assesses the City for disposal of the garbage, and

WHEREAS, the present garbage & Landfill rates as established by the City should be adjusted due to the increasing costs.

NOW THEREFORE BE IT RESOLVED, by the City Council of Fairfax the following new rates are established effective September 1, 2014.

Single GB rate:	\$ 5.00
Family GB rate:	\$ 7.00
Tags	\$ 1.75
RL Landfill charge	\$ 5.10
CL Landfill charge	\$ 6.20

RESOLUTION 2014-14: Motion by Brad Augustin, second by Cindy Fahey to adopt Resolution 2014-14. Motion carried.

RESOLUTION #2014-14

RESOLUTION APPROVING THE 2014 PROPOSED LEVY, COLLECTIBLE IN 2015.

BE IT RESOLVED, by the City Council of the City of Fairfax, County of Renville, State of Minnesota, that the following sums of money be levied for current year, collectible in 2015, upon the taxable property in the City of Fairfax for the following purpose:

Amount levied for General Fund	\$	409,518.00
Amount levied for Debt Service		<u>61,548.00</u>
TOTAL	\$	471,066.00

BE IT FURTHER RESOLVED, that a public hearing be called for the purpose of hearing comments from the public on the 2014 proposed tax levy (payable in 2015). Said hearing to be set at 7:00 p.m. on the 9th of December, 2014.

MUTUAL AID AGREEMENT SAFE & SOBER: Motion by Lois Gilles, second by Cindy Fahey to approve the Mutual Aid Agreement with County. Motion carried.

MMUA Safety Management Program: Motion by Brad Augustin, second by Todd Kiecker to approve the Contract for 2014-2015 in the amount of \$ 13,600.00. Motion carried.

Maximum Accrual Comp Time: Liquor Committee recommended returning to the maximum accrual comp time to eighty hours. Four bartenders have left the employ of the Frontier this last month and the liquor store manager has been working double shifts some days to keep the bar open. Following discussion a motion was made by Lois

Gilles, second by Todd Kiecker to allow the Liquor Store Manager to accrue hours to eighty until November 15, 2014.

STAFF REPORTS:

CITY ADMINISTRATOR

Building Permits: Ed Nachreiner	window replacement	\$ 7,500.00
Colleen Schweiss	window replacement	\$ 5,400.00
Donn Fahey	deck	\$ 3,840.00
Tim Grosam	window replacement	\$ 2,000.00
Carmen VanEpps	window & siding	17,000.00
Paula Weir	siding	8,000.00
Rita Joerg	shingle	8,500.00
Scott Froelich	windows	200.00
Wayne Fournier	reroof	3,600.00
Everett Hanson	window replacement	700.00
Valeria Borth	shingle	8,500.00

Kiecker Property/trailer home: Motion by Brad Augustin, second by Cindy Fahey to remove trailer from property located at 108 2nd Ave. SW per building inspector's inspection. Council polled: Brad-yes, Lois-yes, Cindy-yes, Todd-abstained, Doug-yes. Motion carried.

Administrator received a request for locating a tree shelter belt North of Pat Schreiner's residence on 2nd Ave. NW Street right-of-way. General consensus of the council was to check land area and tree costs.

WHP Meeting: Scheduled for October 7, 2014 at 7:00 p.m

LIQUOR STORE MANAGER: Request the city council hire Kristy Kalk as PT bartender at step one to be trained in for the lead bartender position. Motion by Brad Augustin, second by Todd Kiecker to hire Kristy Kalk as PT bartender to be trained in for the lead bartender position. Motion carried.

SUPT. OF STREETS & UTILITIES: 2008 Chevy Silverado with utility box was purchased.

Request to council on what should be done with Skating Rink warming house. Supt. recommended removing it. Administrator suggested contacting school to see if the school would like to swap land used for parking lot for skating rink. Administrator was directed to check into it.

Based on Parks committee recommendations Supt. is obtaining quotes on the crack sealing of the trail and overlay or construction of a tennis court and basketball court.

POLICE CHIEF: Patrolman Denny Adamski completes his one year probation on Wednesday September 10, 2014. Police Chief informed council he is performing his job and his probation should be completed. Motion by Lois Gilles, second by Cindy Fahey to approve the completion of the probationary period for patrolman Adamski. Motion carried.

Chief informed the council the Dog kennel is completed and the squad car will have graphics and equipment installed completely in the next week.

COUNCIL CONCERNS: The Mayor questioned whether businesses could advertise on the electronic sign. Requested the EDA consider this opportunity for paid advertisement.

Mike Hennen, Renville County Emergency Management Director has cots if the City needs them for snow emergencies, in the event there are stranded travelers. The Police Chief was directed to check and see if we required more cots.

COMMITTEE MINUTES SUBMITTED:


Police Committee - Sept. 8, 2014

Liquor Committee - Sept. 8, 2014

Parks Committee - Sept. 9, 2014

EDA Minutes - August 7 & Sept. 4, 2014

Motion by Lois Gilles, second by Brad Augustin to adjourn at 9:00 p.m. Motion carried.


Doug Pomplun, Mayor